

AMENDED IN ASSEMBLY APRIL 26, 2000

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

ASSEMBLY BILL

No. 2808

Introduced by Assembly Member Papan

February 28, 2000

An act to amend Sections 8000, 8001, 8007, 8008, 8010, 8016, 8017, 8023, 8024, 8024.1, 8024.2, 8024.3, 8024.4, 8024.5, 8024.7, 8025, 8025.1, 8026, and 8031 of, and to add Article 3.5 (commencing with Section 8028) to Chapter 13 of Division 3 of, the Business and Professions Code, relating to shorthand reporters, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 2808, as amended, Papan. Shorthand reporters: ~~company registrants~~.

Existing law provides for the certification and regulation of shorthand reporters. Existing law also provides for the regulation of shorthand reporting corporations, which are professional corporations, governed generally under the Moscone-Knox Professional Corporations Act, that render professional services through certified shorthand reporters. *Under existing law, these certification and regulation duties are the responsibility of a 5-member Court Reporters Board of California, and the provisions establishing this board will become inoperative on July 1, 2001.*

This bill would, in addition, provide for the registration *and regulation* of ~~company registrants~~ entities, which are sole proprietorships, partnerships, corporations, joint ventures,

and other businesses that are engaged in the business of shorthand reporting, as specified, *and would increase the board's membership to 7 by adding to it 2 representatives from this group of registrants and would also extend to July 1, 2004, the operation of the provisions pertaining to the board's existence.* This bill ~~would establish new registration fees in this regard~~ and would impose criminal sanctions in certain cases for violating these new provisions *and would establish new fees with respect to the registration and other associated matters relating to those entities engaged in the business of shorthand reporting.*

Existing law establishes the Court Reporters' Fund, which is continuously appropriated to carry out the provisions governing shorthand reporters. ~~By~~ *This bill would appropriate the sum of \$81,000 from the fund for a specified position during fiscal year 2001-02, and by adding new registration fees for company registrants,* this bill would increase the source of revenue flowing into the fund, thereby *also making an appropriation.*

Existing law makes it a crime to violate any of the provisions governing shorthand reporters. By adding these new registration requirements ~~for company registrants~~ to these provisions, this bill would expand the scope of an existing crime, thereby imposing a state-mandated local program. In addition, by including within these new provisions certain new crimes, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: yes. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. *Section 8000 of the Business and*
2 *Professions Code is amended to read:*

8000. There is in the Department of Consumer Affairs a Court Reporters Board of California, which consists of ~~five~~ *seven* members, three of whom shall be public members ~~and~~, two of whom shall be holders of certificates issued under this chapter who have been actively engaged as shorthand reporters within this state for at least five years immediately preceding their appointment, *and two of whom shall be qualifying officers or managers of a registrant under this chapter who have been actively engaged in the business of shorthand reporting within this state for at least five years immediately preceding their appointment.*

This section shall become inoperative on July 1, ~~2004~~ 2004, and, as of January 1, ~~2002~~ 2005, is repealed, unless a later enacted statute, which becomes effective on or before January 1, ~~2002~~ 2005, deletes or extends the dates on which it becomes inoperative and is repealed. The repeal of this section renders the board subject to the review required by Division 1.2 (commencing with Section 473), ~~except that the review shall be limited to only those unresolved issues identified by the Joint Legislative Sunset Review Committee.~~

SEC. 2. Section 8001 of the Business and Professions Code is amended to read:

8001. Appointment as a member of the board shall be for a term of four years. Members of the board shall hold office until the appointment and qualification of their successors or until one year shall have elapsed since the expiration of the term for which they were appointed, whichever first occurs. No person shall serve as a member of the board for more than two consecutive terms except as provided in Section 131. Vacancies occurring shall be filled by appointment for the unexpired term.

The Governor shall appoint one of the public members ~~and~~, the two certified members ~~qualified~~, *and the two qualifying officer or manager members* as provided in Section 8000. The Senate Rules Committee and the Speaker of the Assembly shall each appoint a public member.

1 SEC. 3. Section 8007 of the Business and Professions
2 Code is amended to read:

3 8007. The board shall:

4 (a) Determine the qualifications of persons applying
5 for certificates and ~~company~~ registrations under this
6 chapter.

7 (b) Make rules for the examination of applicants and
8 the issuing of certificates ~~and company registrations~~
9 provided for in this chapter.

10 (c) Grant certificates to applicants that may, upon
11 examination, be qualified in professional shorthand
12 reporting and in any other subjects that the board may
13 deem advisable ~~and grant company registrations to~~
14 ~~applicants that may, upon examination, be qualified in~~
15 ~~accordance with Article 3.5 (commencing with Section~~
16 ~~8028) to engage in the business of shorthand reporting.~~

17 (d) *Grant registrations to applicants that are qualified*
18 *in accordance with Article 3.5 (commencing with Section*
19 *8028) to engage in the business of shorthand reporting.*

20 ~~(d)~~

21 (e) Adopt, amend, or repeal rules and regulations
22 which are reasonably necessary to carry out the
23 provisions of this chapter.

24 ~~SEC. 2.~~

25 SEC. 4. Section 8008 of the Business and Professions
26 Code is amended to read:

27 8008. The board also has the following powers and
28 duties:

29 (a) To adopt a seal.

30 (b) By affirmative vote of ~~at least three members a~~
31 *majority* of the board, to suspend or revoke a certificate
32 or ~~company~~ registration, for any cause specified in this
33 chapter.

34 (c) To charge and collect all fees as provided for in this
35 chapter.

36 (d) To require the renewal of all certificates and
37 ~~company~~ registrations.

38 (e) To issue subpoenas, to administer oaths, and to
39 take testimony concerning any matter within the
40 jurisdiction of the board.

(f) To investigate the actions of any—licensee
certificate holder, registrant, or qualifying officer or
manager, upon receipt of a verified complaint in writing
from any person, for alleged acts or omissions constituting
grounds for disciplinary action under the chapter.

~~This section shall become operative on July 1, 1999.~~

~~SEC. 3.~~

SEC. 5. Section 8010 of the Business and Professions
Code is amended to read:

8010. Information regarding a complaint against a
~~specific holder of a certificate or company registration~~
specific certificate holder or registrant may not be
disclosed to the public until an accusation has been filed
by the board and the holder *or registrant* has been
notified of the filing of the accusation against the holder's
certificate or—company registration and the disciplinary
proceedings to be conducted in accordance with Chapter
5 (commencing with Section 11500) of Part 1 of Division
3 of Title 2 of the Government Code. This section does not
apply to citations, fines, or orders of abatement, which
~~shall be disclosed to the public upon request. the board~~
shall upon request disclose to the public after notifying
the holder or registrant to whom the requested citation,
fine, or order of abatement was issued.

~~SEC. 4.~~

SEC. 6. Section 8016 of the Business and Professions
Code is amended to read:

8016. (a) No person shall engage in the practice of
shorthand reporting as defined in this chapter, unless that
person is the holder of a certificate in full force and effect
~~issued by the board. No person shall engage in the~~
~~business of shorthand reporting as defined in this chapter,~~
~~unless that person is the holder of a company registration~~
~~in full force and effect issued by the board. This section~~
~~issued by the board. This subdivision~~ does not apply to a
salaried, full-time employee of any department or agency
of the state who is employed as a ~~hearing reporter. This~~
~~section also does not apply to certified shorthand~~
~~reporters who do not employ or use the services of other~~
~~certified shorthand reporters.~~

~~This section hearing reporter.~~

This subdivision shall apply to all persons who are appointed, on and after January 1, 1983, to the position of official reporter or pro tempore official reporter of any court, as defined in the Government Code.

(b) On and after July 1, 2002, no person shall engage in the business of shorthand reporting, as defined in this chapter, unless that person is the holder of a registration in full force and effect issued by the board. This subdivision does not apply to a business, regardless of form, owned by a certified shorthand reporter who does not employ, hire, arrange for, or use the services of any other certified shorthand reporter or to any department or agency of the state that employs hearing reporters.

~~SEC. 5.~~

SEC. 7. Section 8017 of the Business and Professions Code is amended to read:

8017. (a) The practice of shorthand reporting is defined as the making, by means of written symbols or abbreviations in shorthand or machine shorthand writing, of a verbatim record of any oral court proceeding, deposition, or proceeding before any grand jury, referee, or court commissioner and the accurate transcription thereof.

(b) Engaging in the business of shorthand reporting is ~~defined as offering to provide the services of a certified shorthand reporter as defined in subdivision (a).~~ *defined as holding oneself out as a shorthand reporting entity; offering a booking or billing service for certified shorthand reporters; or in any manner whatsoever employing, hiring, offering, arranging for, or using the services of any person engaged in the practice of shorthand reporting as defined in subdivision (a).*

~~SEC. 6.~~

SEC. 8. Section 8023 of the Business and Professions Code is amended to read:

8023. (a) ~~No certificate or company registration shall~~ be issued until the applicant has passed the examination prescribed by the board.

1 (b) No registration shall be issued unless the applicant
2 has fulfilled all of the requirements prescribed by the
3 board.

4 ~~SEC. 7.~~

5 SEC. 9. Section 8024 of the Business and Professions
6 Code is amended to read:

7 8024. All certificates issued under this chapter shall be
8 valid for a period of one year, except for the initial period
9 of ~~licensure~~ certification as prescribed by the board, and
10 shall expire at 12 midnight on the last day of the month
11 of birth of the ~~licensee~~ unless renewed. ~~All company~~
12 ~~registrations~~ holder unless renewed. All registrations
13 issued under this chapter shall be valid for a period of one
14 year and shall expire at 12 midnight on the last day of the
15 12th month unless renewed.

16 To renew an unexpired certificate or ~~company~~
17 ~~registration~~, the certificate or ~~company~~ registration
18 registration, the registrant or holder shall, on or before
19 each of the dates on which it would otherwise expire, do
20 all of the following:

21 (a) Apply for renewal on a form prescribed by the
22 board.

23 (b) Pay the renewal fee prescribed by this chapter.

24 (c) Notify the board whether ~~he or she~~ the certificate
25 holder, the registrant, or any of the registrant's qualifying
26 officers or qualifying managers has been convicted of any
27 felony, any crime substantially related to the functions
28 and duties of a court reporter, or any disciplinary action
29 taken by any regulatory or licensing board in this or any
30 other state, subsequent to the ~~certificate or company~~
31 ~~registration~~ holder's last holder's or the registrant's last
32 renewal.

33 ~~SEC. 8.~~

34 SEC. 10. Section 8024.1 of the Business and
35 Professions Code is amended to read:

36 8024.1. Every person to whom a certificate or
37 ~~company~~ registration is issued shall, as a condition
38 precedent to its issuance, and in addition to any other fee
39 which may be payable, pay the initial certificate or
40 ~~company~~ registration fee prescribed by this chapter.

1 ~~SEC. 9.~~

2 *SEC. 11.* Section 8024.2 of the Business and
3 Professions Code is amended to read:

4 8024.2. (a) Except as otherwise provided in this
5 article, a certificate or ~~company~~ registration which has
6 expired may be renewed at any time within the period set
7 forth in Section 8024.5 by doing all of the following:

8 (1) Applying for renewal on a form prescribed by the
9 board.

10 (2) Paying the renewal fee prescribed by this chapter.

11 (3) Notifying the board whether the ~~person~~ *certificate*
12 *holder, the registrant, or any of the registrant's qualifying*
13 *officers or managers* has been convicted of any felony,
14 any crime substantially related to the functions and duties
15 of a court reporter, or any disciplinary action taken by any
16 regulatory or licensing board in this or any other state,
17 subsequent to the ~~licensee's holder's or registrant's~~ last
18 renewal.

19 (b) If the certificate or ~~company~~ registration is not
20 renewed within 30 days after its expiration, the certificate
21 ~~or company registration holder, as a condition precedent~~
22 *holder or registrant, as a condition precedent* to renewal,
23 shall also pay the delinquency fee set forth in Section
24 163.5. Renewal under this section shall be effective on the
25 date on which the renewal fee is paid, or on the date on
26 which the delinquency fee, if any, is paid, whichever last
27 occurs. If so renewed, the certificate or ~~company~~
28 registration shall continue in effect through the date
29 provided in Section 8024 which next occurs after the
30 effective date of the renewal, when it shall expire if it is
31 not again renewed.

32 The certificate *or registration* shall not be renewed if
33 the certificate holder *or the registrant* has failed to pay
34 monetary sanctions identified in subdivision (g) of
35 Section 8025.

36 *It is the responsibility of each certificate holder and*
37 *registrant to renew his or her certificate or registration*
38 *regardless of whether the holder or registrant received a*
39 *renewal form from the board.*

40 ~~SEC. 10.~~

1 SEC. 12. Section 8024.3 of the Business and
2 Professions Code is amended to read:

3 8024.3. A suspended certificate or ~~company~~
4 registration is subject to expiration and shall be renewed
5 as provided in this article, but that renewal does not
6 entitle the holder of the certificate or ~~company~~
7 ~~registration, while it the registrant, while the certificate~~
8 *or registration* remains suspended and until it is
9 reinstated, to engage in the activity to which the
10 certificate or ~~company~~ registration relates, or in any other
11 activity or conduct in violation of the order or judgment
12 by which it was suspended.

13 The certificate *or registration* shall not be renewed if
14 the certificate holder *or registrant* has failed to pay
15 monetary sanctions identified in subdivision (g) of
16 Section 8025.

17 ~~SEC. 11.~~

18 SEC. 13. Section 8024.4 of the Business and
19 Professions Code is amended to read:

20 8024.4. A revoked certificate or ~~company~~ registration
21 is subject to expiration as provided in this article, but it
22 may not be renewed. If it is reinstated after its expiration,
23 the holder of the certificate or ~~company registration~~ *the*
24 *registrant*, as a condition precedent to its reinstatement,
25 shall pay a reinstatement fee in an amount equal to the
26 renewal fee in effect on the last regular renewal date
27 before the date on which it is reinstated, plus the
28 delinquency fee, if any, accrued at the time of its
29 revocation.

30 ~~The certificate shall not be renewed if the certificate~~
31 ~~holder~~

32 *The certificate or registration shall not be reinstated if*
33 *the certificate or registration* has failed to pay monetary
34 sanctions identified in subdivision (g) of Section 8025.

35 ~~SEC. 12.~~

36 SEC. 14. Section 8024.5 of the Business and
37 Professions Code is amended to read:

38 8024.5. A certificate or ~~company~~ registration that is
39 not renewed within three years after its expiration may
40 not be renewed, restored, reinstated, or reissued

1 thereafter. The holder of the certificate or ~~company~~
2 ~~registration~~ *the registrant* shall return the expired
3 certificate or ~~company~~ registration to the board. To
4 obtain a new certificate or ~~company~~ registration, the
5 holder shall pay all of the fees and meet all of the
6 qualifications and requirements set forth in this chapter
7 for obtaining an original certificate or ~~company~~
8 registration, including qualifying for, taking, and passing
9 the appropriate examination.

10 ~~SEC. 13.~~

11 *SEC. 15.* Section 8024.7 of the Business and
12 Professions Code is amended to read:

13 8024.7. The board shall establish an inactive category
14 of certification for persons who are not actively engaged
15 in the practice of shorthand reporting ~~or in the business~~
16 ~~of shorthand reporting.~~

17 (a) The holder of an inactive certificate issued
18 pursuant to this section shall not engage in any activity for
19 which a certificate is required.

20 (b) An inactive certificate issued pursuant to this
21 section shall be renewed during the same time period in
22 which an active certificate is renewed. The holder of an
23 inactive certificate is exempt from any continuing
24 education requirement for renewal of an active
25 certificate.

26 (c) The renewal fee for a certificate in an active status
27 shall apply also for a renewal of a certificate in an inactive
28 status, unless a lesser renewal fee is specified by the board.

29 (d) In order for the holder of an inactive certificate
30 issued pursuant to this section to restore that certificate
31 to an active status, the holder of an inactive certificate
32 shall comply with both of the following:

33 (1) Pay the renewal fee.

34 (2) If the board requires completion of continuing
35 education for renewal of an active certificate, complete
36 continuing education equivalent to that required for
37 renewal of an active certificate, unless a different
38 requirement is specified by the board.

39 ~~SEC. 14.~~

1 SEC. 16. Section 8025 of the Business and Professions
2 Code is amended to read:

3 8025. A certificate or ~~company~~ registration issued
4 under this chapter may be suspended or revoked, or
5 certification or registration may be denied, for one or
6 more of the following ~~causes~~ *incurred or committed by a*
7 *certificate holder, a registrant, a registrant's qualifying*
8 *officer or qualifying manager, or an applicant for*
9 *certification or registration:*

10 (a) Conviction of a crime substantially related to the
11 qualifications, functions, and duties of a certified
12 shorthand reporter or ~~company~~ registrant. The record of
13 conviction, or a certified copy thereof, is conclusive
14 evidence of the conviction.

15 (b) Failure to notify the board of a conviction
16 described in subdivision (a), in accordance with Section
17 8024 or 8024.2.

18 (c) Fraud or misrepresentation resorted to in
19 obtaining a certificate or ~~company~~ registration under this
20 chapter.

21 (d) Fraud, dishonesty, corruption, willful violation of
22 duty, gross negligence or incompetency in practice, or
23 unprofessional conduct in the practice of shorthand
24 reporting or in the business of shorthand reporting.

25 "Unprofessional conduct" includes, but is not limited
26 to, acts contrary to professional standards concerning
27 confidentiality; impartiality; filing and retention of notes;
28 notifications, availability, delivery, execution and
29 certification of transcripts; and any provision of law
30 substantially related to the duties of a certified shorthand
31 reporter or ~~company~~ registrant.

32 (e) Repeated unexcused failure, whether or not
33 willful, to transcribe notes of cases pending on appeal and
34 to file the transcripts of those notes within the time
35 required by law or to transcribe or file notes of other
36 proceedings within the time required by law or agreed by
37 contract. Violation of this subdivision shall also be
38 deemed an act endangering the public health, safety, or
39 welfare within the meaning of Section 494.

(f) Loss or destruction of stenographic notes, whether on paper or electronic media, which prevents the production of a transcript due to negligence of the licensee holder or registrant.

(g) Failure to comply with, or to pay a monetary sanction imposed by, any court for failure to provide timely transcripts. The record of the court order, or a certified copy thereof, is conclusive evidence that the sanction was imposed.

(h) Violation of this chapter or the statutes, rules, and regulations pertaining to certified shorthand reporters and company registrants.

~~SEC. 15.~~

SEC. 17. Section 8025.1 of the Business and Professions Code is amended to read:

8025.1. (a) In addition to the causes for discipline or denial of certification set forth in Section 8025, the board may suspend or revoke any certificate ~~or company registration, or deny certification or company registration,~~ or deny certification on any of the following grounds:

(1) That the applicant or holder is incapable of performing the duties of a certified shorthand reporter ~~or company registrant~~ due to physical or mental infirmity or incapacity.

(2) That the applicant or holder is unable to perform the duties of a certified shorthand reporter ~~or company registrant~~ due to the abuse of chemical substances or alcohol.

(b) For purposes of determining the existence or nonexistence of grounds for denial, suspension, or revocation of a certificate ~~or company registration~~ as set forth in this section, the board may, based upon a reasonable belief that grounds exist, require the applicant or holder to submit to a physical or mental examination or examinations by a licensed physician designated by the board. Failure to submit to, or to schedule, a physical or mental examination within 10 days of written demand by the board shall result in the automatic suspension of any certificate ~~or company registration~~ or the denial of any

1 application therefor. The denial of an application on any
 2 of the grounds set forth in this section shall be subject to
 3 the provisions of Sections 11504 and 11504.5 of the
 4 Government Code. The holder may request a hearing to
 5 contest an automatic suspension of certification ~~or~~
 6 ~~registration~~ under this section by sending a written
 7 request for hearing to the offices of the board within 12
 8 days of the date that the board mails a notice of suspension
 9 to the holder. If a hearing is requested, it shall be
 10 convened within 30 days after the receipt by the board of
 11 the written request for the hearing. The hearing shall be
 12 conducted in accordance with the provisions of Chapter
 13 5 (commencing with Section 11500) of Part 1 of Division
 14 3 of Title 2 of the Government Code. The sole issue for
 15 determination in the hearing, whether for denial or
 16 suspension of a certificate ~~or company registration~~, shall
 17 be whether the holder failed or refused to submit to the
 18 physical or mental examination after being duly ordered
 19 to do so by the board. Evidence that the holder has, since
 20 the date of automatic suspension, submitted to a mental
 21 or physical examination shall be considered as mitigation
 22 of any failure or refusal to comply with the board's order,
 23 and may, in the sound discretion of the administrative law
 24 judge, constitute cause to set aside any automatic
 25 suspension. A decision shall be rendered by the
 26 administrative law judge within 10 days of the hearing
 27 and shall constitute the final determination as to the
 28 continuing status of any automatic suspension.

29 (c) Following a physical or mental examination
 30 pursuant to subdivision (b), the physician conducting the
 31 examination shall determine whether the applicant or
 32 holder is incapable of performing the duties of a certified
 33 shorthand reporter ~~or company registrant~~ due to physical
 34 or mental infirmity or incapacity, or whether the
 35 applicant or holder is unable to perform the duties of a
 36 certified shorthand reporter ~~or company registrant~~ due
 37 to the abuse of chemical substances or alcohol. Where a
 38 medical determination is made that an impairment exists,
 39 and the finding is reported to the board, the board shall
 40 deny any application and any certificate ~~or company~~

1 ~~registration~~ shall be automatically suspended. The denial
2 of an application on these grounds shall be subject to the
3 provisions of Sections 11504 and 11504.5 of the
4 Government Code. The holder may request a hearing to
5 contest an automatic suspension of certification ~~or~~
6 ~~company registration~~ under this section by sending a
7 written request for hearing to the offices of the board
8 within 12 days of the date that the board mails a notice of
9 suspension to the holder. If a hearing is requested, it shall
10 be convened within 30 days after the receipt by the board
11 of the written request for hearing. The hearing shall be
12 conducted in accordance with Chapter 5 (commencing
13 with Section 11500) of Part 1 of Division 3 of Title 2 of the
14 Government Code. The sole issue for determination in
15 the hearing, whether for denial or suspension of
16 certification ~~or company registration~~, shall be whether
17 the applicant or holder is incapable of performing the
18 duties of a certified shorthand reporter ~~—or company~~
19 ~~registrant~~ due to physical or mental infirmity or
20 incapacity, or whether the applicant or holder is unable
21 to perform the duties of a certified shorthand reporter ~~or~~
22 ~~company registrant~~ due to the abuse of chemical
23 substances or alcohol.

24 (d) For purposes of the hearing conducted pursuant to
25 subdivision (c), the applicant or holder shall, at a
26 minimum, have the following rights:

27 (1) To be represented by counsel.

28 (2) To have a record made of the proceedings, copies
29 of which may be obtained by the certificant ~~or registrant~~
30 upon payment of any reasonable charges associated with
31 the record.

32 (3) To call, examine, and cross-examine witnesses.

33 (4) To present and rebut evidence determined to be
34 relevant.

35 (5) To present oral argument.

36 (e) The statutory period governing reapplication for
37 certification ~~or registration~~ following denial of the
38 application as set forth in Section 486 does not apply to
39 ~~licenses~~ *certifications* denied under this section.

40 ~~SEC. 16.~~

1 SEC. 18. Section 8026 of the Business and Professions
2 Code is amended to read:

3 8026. A plea or verdict of guilty or a conviction
4 following a plea of nolo contendere made to a charge
5 substantially related to the qualifications, functions and
6 duties of a certified shorthand reporter or ~~company~~
7 registrant is deemed to be a conviction within the
8 meaning of this article.

9 ~~The board may order the certificate or company~~
10 ~~registration suspended or revoked, or may decline to~~
11 ~~issue a certificate or company registration, when the time~~

12 *For purposes of this section, the conviction is final when*
13 *the time* for appeal has elapsed, or the judgment of
14 conviction has been affirmed on appeal or when an order
15 granting probation is made suspending the imposition of
16 sentence, irrespective of a subsequent order under the
17 provisions of Section 1203.4 of the Penal Code allowing
18 that person to withdraw his plea of guilty and to enter a
19 plea of not guilty, or setting aside the verdict of guilty, or
20 dismissing the accusation, information, or indictment.

21 ~~SEC. 17.~~

22 SEC. 19. Article 3.5 (commencing with Section 8028)
23 is added to Chapter 13 of Division 3 of the Business and
24 Professions Code, to read:

25
26 Article 3.5. Application, ~~Examination~~ *Qualification*,
27 and Registration of ~~Company Registrants~~ *Business*
28 *Entities*
29

30 ~~8028. The term “person” as used in this article, means~~
31 ~~a sole proprietorship, firm, association, organization,~~
32 ~~partnership, business trust, joint venture, corporation,~~
33 ~~limited liability partnership, limited liability company,~~
34 ~~professional corporation, or any other entity.~~

35 ~~8028.1. Any person who has not committed any acts or~~
36 ~~crimes constituting grounds for denial of licensure under~~
37 ~~Sections 480, 8025, and 8025.1, and who has satisfactorily~~
38 ~~passed an examination under any regulations that the~~
39 ~~board may prescribe shall be entitled to a company~~

1 registration and may engage in the business of shorthand
2 reporting, as defined in subdivision (b) of Section 8017.

3 8028.2. Notwithstanding any other law, on and after
4 January 1, 2001, no person shall be issued a company
5 registration unless the business is owned solely by a
6 certified shorthand reporter or a shorthand reporting
7 corporation, or had registered prior to that date.

8 8028.3. Each applicant for registration under this
9 article shall file an application with the board on a form
10 prescribed by the board at least 45 days before the date
11 fixed for examination and the application shall be
12 accompanied by the required fee. For purposes of
13 determining the date upon which an application is
14 deemed filed with the board, the date of postmark as
15 affixed by the United States Postal Service, or the date
16 certified by a bona fide private courier service on the
17 envelope containing the application shall control.

18 8028.4. (a) Every company that offers the services of
19 a certified shorthand reporter as a sole proprietorship,
20 partnership, limited liability partnership, general law
21 corporation, limited liability company, or other
22 organization or any combination thereof, shall be
23 registered as a company registrant with the board. Each
24 application for a company registration shall include one
25 of the following:

26 (1) The name, including all other names known or
27 used during the 10 years immediately preceding the date
28 of filing the application, complete residence address,
29 social security number, one passport photograph taken
30 within one year immediately preceding the date of filing
31 the application, and two full sets of fingerprints of the
32 company's owner if it is a sole proprietorship.

33 (2) The names, including all other names known or
34 used during the 10 years immediately preceding the date
35 of filing the application, complete residence addresses,
36 social security numbers, one passport photograph taken
37 within one year immediately preceding the date of filing
38 the application, and two full sets of fingerprints for each
39 of the partners if it is a partnership or limited liability
40 partnership.

1 ~~(3) The names, including all other names known or~~
2 ~~used during the 10 years immediately preceding the date~~
3 ~~of filing the application, complete residence addresses,~~
4 ~~social security numbers, one passport photograph taken~~
5 ~~within one year immediately preceding the date of filing~~
6 ~~the application, and two full sets of fingerprints for the~~
7 ~~chief executive officer, chief financial officer, secretary,~~
8 ~~and any other officer who will be active in the business to~~
9 ~~be registered if the company is a corporation, limited~~
10 ~~liability corporation, limited liability company, or other~~
11 ~~type of entity not indicated in paragraphs (1) or (2).~~

12 ~~(b) Every applicant for a company registration shall~~
13 ~~designate one office in this state as its principal office in~~
14 ~~this state.~~

15 ~~(c) A company registration shall not be issued to an~~
16 ~~applicant that has an officer, director, qualified manager,~~
17 ~~responsible managing employee, or an individual who~~
18 ~~otherwise exercises dominion or control over the~~
19 ~~company, whose certification as a shorthand reporter is~~
20 ~~revoked or suspended at the time of the application as the~~
21 ~~result of disciplinary action pursuant to this chapter.~~

22 ~~(d) Each registered company shall designate an~~
23 ~~individual or individuals who hold a certified shorthand~~
24 ~~reporter's certification to act as its qualified manager or~~
25 ~~managers. The designated qualified manager or~~
26 ~~managers shall be available to supervise the daily business~~
27 ~~of the company and supervise and assist all employees of~~
28 ~~the company, in accordance with regulations that the~~
29 ~~board may establish.~~

30 ~~(e) A registered company desiring to operate a~~
31 ~~shorthand reporting business at a location other than the~~
32 ~~principal place of business as shown on the company~~
33 ~~registration shall apply for a branch office registration for~~
34 ~~each additional location as set forth in this chapter.~~

35 ~~(f) Every registered company shall be under the~~
36 ~~active charge of a qualified manager. Every registered~~
37 ~~branch office of a registered company shall be managed~~
38 ~~by a designated branch office manager as set forth in this~~
39 ~~chapter.~~

1 ~~8028.5. (a) Whenever a qualified manager ceases to~~
2 ~~be in active charge of a registered company, the company~~
3 ~~registration shall be automatically suspended within 30~~
4 ~~days of that cessation unless the company notifies the~~
5 ~~board within the 30-day period of that cessation.~~

6 ~~(b) Whenever a designated branch office manager~~
7 ~~ceases management of a registered branch office, the~~
8 ~~branch office registration shall be automatically~~
9 ~~suspended within 30 days unless the qualified manager~~
10 ~~notifies the board within the 30-day period of that~~
11 ~~cessation.~~

12 ~~(c) (1) If the notice of cessation under subdivision (a)~~
13 ~~or (b) is filed with the board in a timely manner, the~~
14 ~~company or branch office registration shall remain in~~
15 ~~force for a period of 90 days after that cessation. After the~~
16 ~~90-day period, the company or branch office registration~~
17 ~~shall be automatically suspended unless the board~~
18 ~~receives written notification that the company is under~~
19 ~~the active charge of a qualified manager or that a branch~~
20 ~~office manager has been designated for the registered~~
21 ~~branch office, as the case may be.~~

22 ~~(2) A company or branch office registration that is~~
23 ~~suspended under paragraph (1) may be reinstated only~~
24 ~~upon the filing of an application for reinstatement, the~~
25 ~~payment of the reinstatement fee, and the qualification~~
26 ~~of a manager as provided by this chapter.~~

27 ~~(3) Any person who performs an act for which a~~
28 ~~company registration is required during the period that~~
29 ~~the registration is suspended, is guilty of a misdemeanor~~
30 ~~punishable by a fine of ten thousand dollars (\$10,000) or~~
31 ~~by imprisonment in a county jail for not more than one~~
32 ~~year, or by both that fine and imprisonment, in addition~~
33 ~~to any other penalties provided by this chapter.~~

34 ~~(d) (1) The registration of a company that is a sole~~
35 ~~proprietorship shall be canceled 120 days after the death~~
36 ~~of the sole proprietor.~~

37 ~~(2) An immediate member of the family of the~~
38 ~~deceased person may continue the business under the~~
39 ~~same registration for the 120-day period. The immediate~~
40 ~~member of the family shall apply for and obtain his or her~~

1 ~~own registration in order to continue in the business of~~
2 ~~shorthand reporting after the 120-day period.~~

3 ~~(e) (1) The registration of a company that is a~~
4 ~~partnership shall be canceled 90 days after the death of a~~
5 ~~general partner. The remaining partner or partners shall~~
6 ~~notify the board in writing within 90 days of the death of~~
7 ~~a general partner. Failure to notify the board within 90~~
8 ~~days of the death is grounds for disciplinary action and~~
9 ~~criminal penalties specified in paragraph (3) of~~
10 ~~subdivision (e).~~

11 ~~(2) The remaining general partner or partners may~~
12 ~~continue the business under the same registration for the~~
13 ~~90-day period. The remaining general partner or partners~~
14 ~~shall apply for and obtain a new registration in order to~~
15 ~~continue in the business of shorthand reporting after the~~
16 ~~90-day period.~~

17 ~~(f) (1) The registration of a company that is a~~
18 ~~partnership shall also be canceled upon the disassociation~~
19 ~~of a general partner or upon the dissolution of the~~
20 ~~partnership. The disassociating partner, and the~~
21 ~~remaining partner or partners, if any, shall notify the~~
22 ~~board in writing within 90 days of the disassociation of a~~
23 ~~general partner or the dissolution of the partnership.~~
24 ~~Failure to notify the board within 90 days of the~~
25 ~~disassociation or dissolution is grounds for disciplinary~~
26 ~~action and criminal penalties specified in paragraph (3)~~
27 ~~of subdivision (e).~~

28 ~~(2) The remaining general partner or partners may~~
29 ~~continue the business under the same registration for the~~
30 ~~90-day period. The remaining general partner or partners~~
31 ~~shall apply for and obtain a new registration in order to~~
32 ~~continue in the business of shorthand reporting after the~~
33 ~~90-day period.~~

34 ~~(g) (1) If the company registrant is a limited~~
35 ~~partnership, the general partner or partners shall notify~~
36 ~~the board in writing within 120 days of the death of a~~
37 ~~limited partner. Failure to notify the board within 120~~
38 ~~days of the death of a limited partner is grounds for~~
39 ~~disciplinary action and criminal penalties specified in~~
40 ~~paragraph (3) of subdivision (e). The death of a limited~~

~~partner shall not affect the company registration unless the partnership has only one limited partner. In that case, the registration shall be canceled 120 days after the death of the limited partner unless a new limited partner is added to the registration within 120 days of the death of the limited partner.~~

~~(2) If a registration is canceled, the remaining general partner or partners may continue the business under the same registration for the 120 day period. The remaining general partner or partners shall apply for and obtain a new registration in order to continue in the business of shorthand reporting after the 120-day period.~~

~~(h) (1) If the company registrant is a limited partnership, the general partner or partners shall notify the board in writing within 90 days of the disassociation of a limited partner. Failure to notify the board within 90 days of the disassociation is grounds for disciplinary action and criminal penalties specified in paragraph (3) of subdivision (c).~~

~~(2) The disassociation of a limited partner shall not affect the company registration unless the partnership has only one limited partner. In that case, the registration shall be canceled upon the disassociation of the limited partner unless a new limited partner is added to the registration within 90 days of the disassociation. If the registration is canceled, the remaining general partner or partners may continue the business under the same registration for the 90-day period. The remaining general partner or partners shall apply for and obtain a new company registration in order to continue in the business of shorthand reporting after the 90-day period.~~

~~(i) (1) The registration of a company that is a joint venture shall be canceled upon the disassociation of any joint venture entity or upon the dissolution of the joint venture. The board shall be notified in writing within 90 days of the disassociation of a joint venture entity or the dissolution of the joint venture. Failure to notify the board within 90 days of the disassociation or dissolution is grounds for disciplinary action and criminal penalties specified in paragraph (3) of subdivision (c).~~

1 ~~(2) Any remaining entity or entities may continue the~~
2 ~~business under the same registration for the 90-day~~
3 ~~period. The remaining entity or entities shall apply for~~
4 ~~and obtain a new registration in order to continue in the~~
5 ~~business of shorthand reporting after the 90-day period.~~

6 ~~(j) The registration of any sole proprietorship,~~
7 ~~partnership, or joint venture continued in accordance~~
8 ~~with this section is subject to all other provisions of this~~
9 ~~chapter.~~

10 ~~(k) The registration of a company that is a corporation~~
11 ~~shall be canceled upon the corporation's dissolution,~~
12 ~~merger, or surrender of its right to do business in this~~
13 ~~state. The corporation shall notify the board in writing~~
14 ~~within 90 days of the dissolution, merger, or surrender of~~
15 ~~rights. If the corporation fails to notify the board of the~~
16 ~~dissolution, merger, or surrender of rights, the~~
17 ~~registration shall be canceled 60 days after the board's~~
18 ~~discovery of that event. Failure to notify the board within~~
19 ~~90 days of the dissolution, merger, or surrender of rights~~
20 ~~is grounds for disciplinary action and criminal penalties~~
21 ~~specified in paragraph (3) of subdivision (c).~~

22 ~~(l) The board shall review and accept the petition of~~
23 ~~any registrant that disputes the date of cancellation of its~~
24 ~~registration upon a showing of good cause. This petition~~
25 ~~shall be received within 90 days of the board's official~~
26 ~~notice of that cancellation.~~

27 ~~8028.6. (a) For purposes of this chapter, "branch~~
28 ~~office" means a physical location where employees or~~
29 ~~agents of the registered company schedule reporting~~
30 ~~assignments, bind, copy, or otherwise assist in the~~
31 ~~production or shipping of transcripts, or bill for reporting~~
32 ~~assignments or products. The term "branch office" does~~
33 ~~not apply to locations where there is only a telephone~~
34 ~~forwarded number or a mail delivery box existing as the~~
35 ~~sole presence for the company.~~

36 ~~(b) Each branch office of a registered company shall~~
37 ~~employ a qualified branch office manager designated by~~
38 ~~the registered company to supervise and assist the~~
39 ~~company's employees and agents who are located at,~~
40 ~~accept assignments from, or submit work to, that branch~~

1 office. The qualified branch office manager shall be an
2 individual who is a certified shorthand reporter. Each
3 branch office shall be separately registered with the
4 board.

5 8028.7. (a) A company registration shall be
6 prominently displayed in the registered company's
7 principal office, and no registration issued under this
8 chapter shall authorize the company to do business
9 except from the location for which the registration was
10 issued. Each registered company having a branch office
11 or more than one branch office shall be required to
12 display its respective branch office registration
13 prominently in each branch office it maintains.

14 (b) Within 30 days of a registered company opening a
15 branch office it all notify the board in writing on a form
16 prescribed by the board and issued by the board in
17 accordance with rules and regulations adopted by the
18 board. The notification shall include the name of the
19 individual designated as the branch office manager and
20 shall be submitted with the fee for a branch office
21 prescribed by this chapter.

22 8028.8. A registered company that changes the
23 location of its principal office or any branch office or that
24 changes its qualified manager, branch office manager,
25 officers, or its bond shall notify the board in writing of that
26 change within 30 days thereafter. A fee for filing the
27 change shall be charged in accordance with Section 8031.

28 8028.9. (a) If the board suspends or revokes a
29 certified shorthand reporter's certificate and one or more
30 branch offices are registered under the name of the
31 certified shorthand reporter, the suspension or
32 revocation may be applied to each branch office.

33 (b) If the certified shorthand reporter is the qualified
34 manager, a partner, responsible officer, or the holder of
35 a company registration, the suspension or revocation may
36 be applied to the company registration.

37 (c) The performance by any partnership, corporation,
38 firm, association, or other registered company of any act
39 or omission constituting a cause for disciplinary action,
40 likewise constitutes a cause for disciplinary action against

~~any certified shorthand reporter who, at the time the act or omission occurred, was the qualified manager, a partner, responsible officer, or owner of the partnership, corporation, firm, association, or registered company whether or not he or she had knowledge of, or participated in, the prohibited act or omission.~~

8028. As used in this chapter:

(a) "Entity" means a sole proprietorship, firm, association, organization, partnership, business trust, joint venture, corporation, limited liability partnership, limited liability company, professional corporation, shorthand reporting corporation, or any other business association.

(b) "Branch office" means a physical location where employees or agents of the registrant schedule reporting assignments, bind, copy, or otherwise assist in the production or shipping of transcripts, or bill for reporting assignments or products. The term "branch office" does not include a location if there is only a telephone forwarded number, a mail delivery box, or both at that location.

(c) "Branch office registration" means a registration of a single location being operated pursuant to a master registration.

(d) "Master registration" means the registration for the entire entity, if the entity has branch offices.

(e) "Qualifying manager" means the designated individual responsible for supervising the daily operations and activities of the registrant or one of the registrant's branch offices.

(f) "Qualifying officer" means any individual who is required to be listed on a registration application, described in Section 8028.4.

(g) "Registrant" means an entity registered by the board under this article.

(h) "Registration," unless otherwise indicated, includes any and all types of registration, including a master registration and branch office registrations.

8028.1. Notwithstanding any other provision of law, effective July 1, 2002, no person shall engage in the

1 *business of shorthand reporting as defined in subdivision*
2 *(b) of Section 8017 unless the person is registered by the*
3 *board pursuant to this article.*

4 *8028.2. The board shall grant a registration*
5 *application submitted to it by an entity, and that entity*
6 *may engage in the business of shorthand reporting as*
7 *defined in subdivision (b) of Section 8017, if it meets all*
8 *of the following requirements:*

9 *(a) Neither the entity nor any of its proposed*
10 *qualifying officers or managers has committed an act or*
11 *crime or has a physical or mental infirmity or incapacity*
12 *constituting grounds for the suspension, revocation, or*
13 *denial of a certification or registration under Section 480,*
14 *8025, or 8025.1.*

15 *(b) Files an application with the board containing all*
16 *of the information specified in Section 8028.3.*

17 *(c) Pays the fees specified in Section 8031.*

18 *(d) Designates a qualifying manager.*

19 *(e) Submits a declaration under penalty of perjury*
20 *from each qualifying officer and manager that he or she:*

21 *(1) Has read the laws and regulations governing the*
22 *practice and the business of shorthand reporting.*

23 *(2) Will abide by these laws and regulations.*

24 *(3) Will not request or expect any other certificate*
25 *holder or registrant to commit any act in violation of those*
26 *laws and regulations.*

27 *(f) Complies with the requirements of Section 8028.4,*
28 *if it operates a branch office.*

29 *8028.3. (a) Each application submitted to the board*
30 *shall meet the following requirements:*

31 *(1) Designate a qualifying manager and include his or*
32 *her name, residence or business address, social security*
33 *number, and two full sets of his or her fingerprints.*

34 *(2) If the applicant is a sole proprietorship, the*
35 *application shall include the name, residence or business*
36 *address, social security number, and two full sets of*
37 *fingerprints of its owner.*

38 *(3) If the applicant is a partnership or limited liability*
39 *partnership, the application shall include the names,*

1 residence or business addresses, social security numbers,
2 and two full sets of fingerprints for each partner.

3 (4) If the applicant is a corporation, limited liability
4 corporation, limited liability company, or other type of
5 entity not included in paragraph (2) or (3), the
6 application shall include the names, residence or
7 businesses addresses, social security numbers, and two full
8 sets of fingerprints for the president or chief executive
9 officer, vice president or chief financial officer, and
10 secretary.

11 (b) The fingerprint requirements in subdivision (a)
12 shall not apply to persons whose fingerprints are on file
13 with the board.

14 8028.4. If the entity operates branch offices, it shall
15 designate on its registration application one branch office
16 located within this state as its principal place of business
17 and comply with all of the following provisions:

18 (a) Register each of its branch offices, using a form
19 prescribed by the board.

20 (b) Designate a qualifying manager for each branch
21 office and provide his or her residence or business
22 address, social security number, and two full sets of his or
23 her fingerprints.

24 8028.5. (a) (1) The registrant shall file a notice with
25 the board within 30 days of the date that a qualifying
26 manager ceases to supervise the daily operations and
27 activities of the registrant or any of its branch offices.

28 (2) If the notice is filed with the board within this
29 period of time, the registration shall remain in effect for
30 a period of 30 days after the date on which the cessation
31 occurred. The registration shall be automatically
32 suspended at the end of this 30-day period unless the
33 registrant notifies the board in writing either that the
34 qualifying manager has resumed his or her duties or a new
35 qualifying manager has been appointed and the
36 registrant provides all of the information required by
37 paragraph (1) of subdivision (a) of Section 8028.3 for that
38 person.

1 (b) (1) The registrant shall file a notice with the
2 board within 90 days of the date a qualifying officer
3 resigns from his or her position.

4 (2) If the notice is filed with the board within this
5 period of time, the registration shall remain in effect for
6 a period of 90 days after the date on which the resignation
7 occurred. The registration shall be automatically
8 suspended at the end of this 90-day period unless the
9 registrant notifies the board in writing either that the
10 qualifying officer has resumed his or her position or that
11 a qualifying officer has been appointed, and the registrant
12 provides all of the information required by Section 8028.3
13 for that person.

14 (c) A registrant that disputes the suspension of its
15 registration under this section may petition the board for
16 review within 90 days of the board's suspension of the
17 registration.

18 (d) Any registration suspended under this section may
19 be reinstated only upon the filing of an application for
20 reinstatement on a form prescribed by the board and the
21 payment of the reinstatement fee.

22 (e) Any person who performs an act for which
23 registration is required during the period that the
24 registration is suspended under this section, is guilty of a
25 misdemeanor punishable by a fine of ten thousand dollars
26 (\$10,000) or by imprisonment in a county jail for not more
27 than one year, or by both that fine and imprisonment, in
28 addition to any other penalties provided by this chapter.

29 8028.7. A registrant shall prominently display its
30 registration at its principal place of business and at each
31 of its branch offices.

32 8028.8. (a) A registrant shall notify the board in
33 writing of a change in location of its principal place of
34 business or of any of its branch offices within 30 days of the
35 occurrence of the change. A fee for filing the change shall
36 be charged in accordance with Section 8031.

37 (b) A registrant shall notify the board in writing on a
38 form prescribed by the board within 30 days of
39 establishing a branch office and submit within that time

1 *period a registration application for the branch office*
2 *pursuant to Section 8028.4.*

3 8028.9. (a) *If the board suspends or revokes a master*
4 *registration, the suspension or revocation shall be applied*
5 *only to the master registration and any branch office*
6 *registrations specified by the board in its decision.*

7 (b) *The revocation or suspension of a branch office*
8 *registration by the board shall apply solely to that branch*
9 *office unless otherwise specified by the board in its*
10 *decision.*

11 8028.10. The lapsing or suspension of a certificate or
12 ~~company~~ registration by operation of law or by order or
13 decision of the board or a court of law, or the voluntary
14 surrender of a certificate or ~~company~~ registration shall
15 not deprive the board of jurisdiction to proceed with any
16 investigation of or action or disciplinary proceeding
17 against the certificate holder or ~~company~~ registrant, or to
18 render a decision suspending or revoking the certificate
19 or ~~company~~ registration.

20 8028.11. The suspension or revocation of a certificate
21 or a ~~company~~ registration as provided for in this chapter
22 may also be ordered in any action otherwise proper in any
23 court involving the certificate holder's or a ~~company~~
24 registrant's performance of a legal obligation under the
25 law.

26 8028.12. Misrepresentation of a material fact by an
27 applicant for ~~a company~~ registration is a ground for
28 disciplinary action.

29 ~~8028.13. Aiding or abetting an uncertificated~~
30 ~~individual or unregistered company to evade the~~
31 ~~provisions of this chapter or knowingly combining or~~
32 ~~conspiring with an uncertificated individual or~~
33 ~~unregistered company, or allowing one's certification or~~
34 ~~company registration to be used by an uncertificated~~
35 ~~individual or unregistered company, or acting as agent or~~
36 ~~partner or associate, or otherwise, of an uncertificated~~
37 ~~individual or unregistered company to evade the~~
38 ~~provisions of this chapter is a ground for disciplinary~~
39 ~~action.~~

~~8028.14. The board shall require as a condition precedent to the issuance, reinstatement, reactivation, renewal, or continued maintenance of a company registration, that the applicant or company registrant file or have on file a bond in the amount of seven thousand five hundred dollars (\$7,500).~~

8028.13. A registrant or certificate holder is subject to disciplinary action by the board if he or she conspires with a person who is not so certificated or registered to violate any provisions of this chapter, or who, with intent to aid or assist that person in violating those provisions, does any of the following:

(a) Allows his or her certification or registration to be used by that person.

(b) Acts as that person's agent, partner, or associate.

~~SEC. 18.~~

SEC. 20. Section 8031 of the Business and Professions Code is amended to read:

8031. The amount of the fees required by this chapter is that fixed by the board in accordance with the following schedule:

(a) The fee for filing an application for each examination shall be no more than forty dollars (\$40).

(b) The fee for examination and reexamination for the written or practical part of the examination shall be in an amount fixed by the board, which shall be equal to the actual cost of preparing, administering, grading, and analyzing the examination, but shall not exceed seventy-five dollars (\$75) for each separate part, for each administration.

(c) The initial certificate fee is an amount equal to the renewal fee in effect on the last regular renewal date before the date on which the certificate is issued, except that, if the certificate will expire less than 180 days after its issuance, then the fee is 50 percent of the renewal fee in effect on the last regular renewal date before the date on which the certificate is issued, or fifty dollars (\$50), whichever is greater. The board may, by appropriate regulation, provide for the waiver or refund of the initial

1 certificate fee where the certificate is issued less than 45
2 days before the date on which it will expire.

3 (d) By a resolution adopted by the board, a renewal
4 fee may be established in such amounts and at such times
5 as the board may deem appropriate to meet its
6 operational expenses and funding responsibilities as set
7 forth in this chapter. The renewal fee shall not be more
8 than one hundred twenty-five dollars (\$125) nor less than
9 ten dollars (\$10) annually, with the following exception:

10 Any person who is employed full time by the State of
11 California as a hearing reporter and who does not
12 otherwise render shorthand reporting services for a fee
13 shall be exempt from ~~license~~ *certification* while in state
14 employment and shall not be subject to the renewal fee
15 provisions of this subdivision until 30 days after leaving
16 state employment. The renewal fee shall, in addition to
17 the amount fixed by this subdivision, include any unpaid
18 fees required by this section plus any delinquency fee.

19 (e) The duplicate certificate fee shall be no greater
20 than ten dollars (\$10).

21 (f) The penalty for failure to notify the board of a
22 change of name or address as required by Section 8024.6
23 shall be no greater than fifty dollars (\$50).

24 (g) The fee for an initial ~~company~~ registration and
25 renewal of a ~~company~~ registration shall be fixed by the
26 board and shall not be more than one hundred
27 twenty-five dollars (\$125) nor less than ten dollars (\$10)
28 annually and shall be determined by board rule.

29 ~~(h) The fee for examination as a qualified manager or~~
30 ~~branch office manager of a company registrant shall not~~
31 ~~exceed the actual cost of developing, preparing,~~
32 ~~administering, grading, and analyzing the examination.~~

33 ~~(h) The fee for a branch office registration shall not~~
34 ~~exceed fifty dollars (\$50).~~

35 (i) The fee for a ~~company~~ registrant that changes the
36 ~~location of its principal office, any branch office, its~~
37 ~~qualified manager, branch office manager, officers, or~~
38 ~~bond shall not exceed fifty dollars (\$50).~~ *location of its*
39 *principal place of business or any branch office or that*

1 *changes its qualifying officer or manager pursuant to*
2 *Section 8028.5 shall not exceed fifty dollars (\$50).*

3 (j) The fee for a branch office registration shall not
4 exceed fifty dollars (\$50).

5 (k) *The fee for reinstatement of a registration shall not*
6 *exceed one hundred twenty-five dollars (\$125).*

7 ~~SEC. 19.~~

8 SEC. 21. No reimbursement is required by this act
9 pursuant to Section 6 of Article XIII B of the California
10 Constitution because the only costs that may be incurred
11 by a local agency or school district will be incurred
12 because this act creates a new crime or infraction,
13 eliminates a crime or infraction, or changes the penalty
14 for a crime or infraction, within the meaning of Section
15 17556 of the Government Code, or changes the definition
16 of a crime within the meaning of Section 6 of Article
17 XIII B of the California Constitution.

18 SEC. 22. *The sum of eighty one thousand dollars*
19 *(\$81,000) is hereby appropriated to the Court Reporter's*
20 *Board of California from the Court Reporter's Fund for*
21 *the purpose of funding during fiscal year 2001-02 a Staff*
22 *Services Manager I position. Appropriations for this*
23 *purpose in subsequent fiscal years shall be subject to the*
24 *annual budget process.*

